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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/752,957

01/02/2001

David Shiuan

101198-3

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02/28/2005

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EXAMINER

KERR, KATHLEEN M

ART UNIT

PAPER NUMBER

1652

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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62

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050222

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The amendment filed on September 29, 2004 containing a sequence listing is considered non-responsive to the Office communication mailed on July 10, 2003 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules and/or Raw Sequence Listing Error Report. Applicant must comply with the requirements of the sequence rules (37 C.F.R. ' 1.821 - 1.825) before the application can be examined under 35 U.S.C. § 131 and 132.

The following is a summary of Applicant's attempts to correct the errors with the sequence listing:

FAOM mailed July 10, 2003 requiring new sequence listing

reply November 3, 2003, defective sequence listing
non-responsive notice mailed January 21, 2004

reply February 24, 2004, defective sequence listing
non-responsive notice mailed May 7, 2004 and subsequently September 20, 2004 (correct address)

reply September 29, 2004, defective sequence listing
instant notice

The sequence listing is defective for the reasons cited in the attached raw sequence listing error report.

The reply filed on September 29, 2004 is not fully responsive to the prior Office Action because: the computer readable form of the sequence listing is defective for a third time. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 C.F.R. ' 1.136(a).

The date on which the petition under 37 C.F.R. ' 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen M Kerr whose telephone number is (571) 272-0931. The examiner can normally be reached on Monday through Friday, from 9:00am to 6pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathupura Achutamurthy can be reached on (571) 272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Kathleen M Kerr
Primary Examiner
Art Unit: 1652